

EXHIBIT E

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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

TIGER NATURAL GAS, INC.,

Plaintiff,

v.

PACIFIC GAS AND ELECTRIC COMPANY, a
California corporation; ALBERT TORRES, an
individual; BILL CHEN, an individual; TANISHA
ROBINSON, an individual,

Defendants.

No. 16 Civ. 6711 (JSW)

**STIPULATION REGARDING
COORDINATION OF DEPOSITIONS
IN SIMILAR ACTIONS**

Judge: Hon. Jeffrey S. White

1 **STIPULATION REGARDING COORDINATION OF DEPOSITIONS**

2 Tiger Natural Gas Inc. (“Tiger”), United Energy Trading Company (“UET”), North Star
3 Gas Company d/b/a/ YEP Energy (“YEP”), Vista Energy Marketing , L.P. (“Vista), Pacific Gas
4 and Electric Company (“PG&E”), Albert Torres, Bill Chen, and Tanisha Robinson, by and
5 through their respective counsel, hereby agree and stipulate as follows:

6 WHEREAS, Tiger has filed the instant action against PG&E and three individual
7 defendants (the “Tiger Action”);

8 WHEREAS, Tiger is one of four core transport agents (“CTAs”) that has filed a
9 complaint in this Court against PG&E and the three individual defendants, asserting allegations
10 containing some common issues of fact in each case. The other three pending cases are:

- 11 • *United Energy Trading, LLC v. PG&E, et al.*, No. 15 Civ. 2383 (RS) (SK) (the
12 “UET Action”);
- 13 • *North Star Gas Company d/b/a YEP Energy v. PG&E, et al.*, No. 15 Civ. 2575
14 (N.D. Cal.) (HSG) (SK) (the “YEP Action”);
- 15 • *Vista Energy Marketing, L.P. v. PG&E, et al.*, No. 16 Civ. 4019 (N.D. Cal.)
16 (HSG) (the “Vista Action”);

17 WHEREAS, UET has expressed an intent to take depositions of PG&E employees in the
18 UET Action;

19 WHEREAS, counsel of record for UET is also counsel of record for YEP, Vista, and
20 Tiger;

21 WHEREAS, counsel of record for PG&E and the individual defendants in the UET
22 Action is also counsel of record for PG&E and the individual defendants in the YEP, Vista, and
23 Tiger Actions;

24 WHEREAS, PG&E, the individual defendants, UET, YEP, Tiger and Vista agree there
25 are certain common issues of fact relevant to all four pending actions, particularly as related to
26 PG&E’s policies and procedures;

27 WHEREAS, the YEP, Vista, and Tiger Actions remain in the pleading stage with
28 motions to dismiss pending in each action and no scheduling orders entered in the actions;

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WHEREAS, discovery and depositions are proceeding in the UET Action;

WHEREAS, UET may dismiss one or more claims prior to taking some depositions and YEP, Vista, and Tiger wish to preserve their rights to depose witnesses on facts relevant to any claims dismissed by UET;

WHEREAS, PG&E, the individual defendants, UET, YEP, Tiger and Vista agree that in the interest of economy and judicial efficiency, witnesses should not be subjected to duplicative questioning in depositions taken in the four pending actions;

WHEREAS, the Honorable Magistrate Judge Sallie Kim has been appointed as the Magistrate to oversee discovery issues in the UET Action and the YEP Action;

WHEREAS, PG&E, the individual defendants, UET, YEP, Vista, and Tiger agree that in the interests of economy and judicial efficiency, it would be beneficial for a single Magistrate Judge to oversee discovery in all four pending actions;

WHEREAS, on April 21, 2017, the parties filed the attached Stipulation Regarding Coordination of Depositions in Similar Action (*see* Exhibit A) in the UET Action (“UET Action Stipulation”);

NOW THEREFORE, PG&E, the individual defendants, UET, YEP, Vista, and Tiger, by and through their undersigned counsel of record, hereby stipulate and agree as follows:

1. A stipulation substantively identical to the Stipulation attached as Exhibit A shall be filed in this Action, the YEP Action, and the Vista Action.
2. PG&E, the individual defendants, and Vista jointly will seek appointment of Magistrate Judge Kim to oversee discovery in the Vista Action.
3. PG&E, the individual defendants, and Tiger jointly will seek appointment of Magistrate Judge Kim to oversee discovery in the Tiger Action.
4. PG&E, the individual defendants, UET, YEP, Vista, and Tiger shall be entitled to use and rely upon deposition testimony taken in any of the UET, YEP, Vista, and Tiger Actions in connection with any of the four actions for all purposes allowed by the Federal Rules of Civil Procedure and the Federal

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1 Rules of Evidence as if deposition testimony were taken in each respective
2 action.

3 5. PG&E, the individual defendants, UET, YEP, Vista and Tiger agree to make
4 best efforts to minimize additional testimony taken in the UET, YEP, Vista
5 and Tiger Actions from witnesses that have been previously deposed in any of
6 the four actions.

7 6. PG&E, the individual defendants, UET, YEP, Vista, and Tiger further agree
8 that prior to noticing the deposition of a witness who was previously deposed
9 in any of the actions, counsel for the noticing party and counsel for the
10 witness shall meet and confer in an effort to reach agreements regarding limits
11 to the length and subject matters of the deposition. If the parties are not able
12 to reach an agreement, the dispute shall be presented to Magistrate Judge Kim
13 in a Joint Letter that complies with the Magistrate's Standing Order (or, if
14 Magistrate Kim is not appointed in connection with each of the four cases, the
15 parties shall comply with the discovery dispute resolution processes of the
16 assigned Judge). In the event the parties seek Court assistance in resolving
17 such a dispute, PG&E, the individual defendants, UET, YEP, Vista, and Tiger
18 agree not to serve notice of the witness' deposition until the Court resolves the
19 dispute.

20 7. PG&E, the individual defendants, UET, YEP, Vista, and Tiger further agree
21 that prior to noticing a deposition pursuant to Federal Rule of Civil Procedure
22 30(b)(6) in any of the Actions, counsel for the parties shall meet and confer in
23 an effort to reach agreements regarding the subject matters of the deposition.
24 If the parties are not able to reach an agreement, the dispute shall be presented
25 to Magistrate Judge Kim in a Joint Letter that complies with the Magistrate's
26 Standing Order (or, if Magistrate Kim is not appointed in connection with
27 each of the four cases, the parties shall comply with the discovery dispute
28 resolution processes of the assigned Judge). In the event the parties seek

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Court assistance in resolving such a dispute, PG&E, the individual defendants, UET, YEP, Vista, and Tiger agree not to serve notice of the 30(b)(6) deposition until the Court resolves the dispute.

Dated: May 11 2017

STEPTOE & JOHNSON LLP

By: /s/ Laurie Edelstein
Laurie Edelstein
Seth R. Sias

Attorneys for Defendants Pacific Gas and Electric Company, Albert Torres, Bill Chen, and Tanisha Robinson

Dated: May 11, 2017

HOLLAND & KNIGHT LLP

By: /s/ Leah E. Capritta*
Thomas D. Leland
Leah E. Capritta

Attorneys for Tiger Natural Gas, Inc.

Dated: May 11, 2017

HOLLAND & KNIGHT LLP

By: /s/ Leah E. Capritta*
Thomas D. Leland
Leah E. Capritta

Attorneys for North Star Gas Company d/b/a YEP Energy

Dated: May 11, 2017

HOLLAND & KNIGHT LLP

By: /s/ Leah E. Capritta*
Thomas D. Leland
Leah E. Capritta

Attorneys for Vista Energy Marketing, L.P.

Dated: May 11, 2017

HOLLAND & KNIGHT LLP

By: /s/ Leah E. Capritta*
Thomas D. Leland
Leah E. Capritta

Attorneys for United Energy Trading, LLC

*with permission.

EXHIBIT A

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*Attorneys for Plaintiff
United Energy Trading, LLC*

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED ENERGY TRADING, LLC,

Plaintiff,

vs.

PACIFIC GAS AND ELECTRIC COMPANY, a
California corporation,; ALBERT TORRES, an
individual; BILL CHEN, an individual; TANISHA
ROBINSON, an individual,

Defendants.

No. 15 Civ. 02383 (RS) (SK)

**STIPULATION REGARDING
COORDINATION OF DEPOSITIONS
IN SIMILAR ACTIONS**

Judge: Hon. Richard Seeborg
Magistrate: Hon. Sallie Kim

STIPULATION REGARDING COORDINATION OF DEPOSITIONS

United Energy Trading Company (“UET”), North Star Gas Company d/b/a/ YEP Energy (“YEP”), Vista Energy Marketing, L.P. (“Vista”), Tiger Natural Gas Inc. (“Tiger”), Pacific Gas and Electric Company (“PG&E”), Albert Torres, Bill Chen, and Tanisha Robinson, by and through their respective counsel, hereby agree and stipulate as follows:

WHEREAS, plaintiff UET has expressed an intent to take depositions of PG&E employees in this action (the “UET Action”);

WHEREAS, UET is one of four core transport agents (“CTAs”) that has filed a complaint in this Court against PG&E and the three individual defendants, asserting allegations containing some common issues of facts in each case. The other three pending cases are:

- *North Star Gas Company d/b/a YEP Energy v. PG&E, et al.* (the “YEP Action”), No. 15 Civ. 2575 (N.D. Cal.) (HSG) (SK)
- *Vista Energy Marketing, L.P. v. PG&E, et al.* (the “Vista Action”), No. 16 Civ. 4019 (N.D. Cal.) (HSG)
- *Tiger Natural Gas, Inc. v. PG&E, et al.* (the “Tiger Action”), No. 16 Civ. 6711 (N.D. Cal.) (JSW);

WHEREAS, counsel of record for UET is also counsel of record for YEP, Vista, and Tiger;

WHEREAS, counsel of record for PG&E and the individual defendants in the UET Action is also counsel of record for PG&E and the individual defendants in the YEP, Vista, and Tiger Actions;

WHEREAS, PG&E, the individual defendants, UET, YEP, Tiger and Vista agree there are certain common issues of fact relevant to all four pending actions, particularly as related to PG&E’s policies and procedures;

WHEREAS, the YEP, Vista, and Tiger Actions remain in the pleading stage with motions to dismiss pending in each action and no scheduling orders entered in the actions;

WHEREAS, discovery and depositions are proceeding in the UET Action;

1 WHEREAS, UET may dismiss one or more claims prior to taking some depositions and
2 YEP, Vista, and Tiger wish to preserve their rights to depose witnesses on facts relevant to any
3 claims dismissed by UET;

4 WHEREAS, PG&E, the individual defendants, UET, YEP, Tiger and Vista agree that in
5 the interest of economy and judicial efficiency, witnesses should not be subjected to duplicative
6 questioning in depositions taken in the four pending actions;

7 WHEREAS, the Honorable Magistrate Judge Sallie Kim has been appointed as the
8 Magistrate to oversee discovery issues in the UET Action and the YEP Action;

9 WHEREAS, PG&E, the individual defendants, UET, YEP, Vista, and Tiger agree that in
10 the interests of economy and judicial efficiency, it would be beneficial for a single Magistrate
11 Judge to oversee discovery in all four pending actions;

12 NOW THEREFORE, PG&E, the individual defendants, UET, YEP, Vista, and Tiger, by
13 and through their undersigned counsel of record, hereby stipulate and agree as follows:

- 14 1. A stipulation substantively identical to this Stipulation shall be filed in the
15 YEP, Vista, and Tiger Actions.
- 16 2. PG&E, the individual defendants, and Vista jointly will seek appointment of
17 Magistrate Judge Kim to oversee discovery in the Vista Action.
- 18 3. PG&E, the individual defendants, and Tiger jointly will seek appointment of
19 Magistrate Judge Kim to oversee discovery in the Tiger Action.
- 20 4. PG&E, the individual defendants, UET, YEP, Vista, and Tiger shall be
21 entitled to use and rely upon deposition testimony taken in any of the UET,
22 YEP, Vista, and Tiger Actions in connection with any of the four actions for
23 all purposes allowed by the Federal Rules of Civil Procedure and the Federal
24 Rules of Evidence as if deposition testimony were taken in each respective
25 action.
- 26 5. PG&E, the individual defendants, UET, YEP, Vista and Tiger agree to make
27 best efforts to minimize additional testimony taken in the UET, YEP, Vista
28

1 and Tiger Actions from witnesses that have been previously deposed in any of
2 the four actions.

3 6. PG&E, the individual defendants, UET, YEP, Vista, and Tiger further agree
4 that prior to noticing the deposition of a witness who was previously deposed
5 in any of the actions, counsel for the noticing party and counsel for the
6 witness shall meet and confer in an effort to reach agreements regarding limits
7 to the length and subject matters of the deposition. If the parties are not able
8 to reach an agreement, the dispute shall be presented to Magistrate Judge Kim
9 in a Joint Letter that complies with the Magistrate's Standing Order (or, if
10 Magistrate Kim is not appointed in connection with each of the four cases, the
11 parties shall comply with the discovery dispute resolution processes of the
12 assigned Judge). In the event the parties seek Court assistance in resolving
13 such a dispute, PG&E, the individual defendants, UET, YEP, Vista, and Tiger
14 agree not to serve notice of the witness' deposition until the Court resolves the
15 dispute.

16 7. PG&E, the individual defendants, UET, YEP, Vista, and Tiger further agree
17 that prior to noticing a deposition pursuant Federal Rule of Civil Procedure
18 30(b)(6) in any of the Actions, counsel for the parties shall meet and confer in
19 an effort to reach agreements regarding the subject matters of the deposition.
20 If the parties are not able to reach an agreement, the dispute shall be presented
21 to Magistrate Judge Kim in a Joint Letter that complies with the Magistrate's
22 Standing Order (or, if Magistrate Kim is not appointed in connection with
23 each of the four cases, the parties shall comply with the discovery dispute
24 resolution processes of the assigned Judge). In the event the parties seek
25 Court assistance in resolving such a dispute, PG&E, the individual defendants,
26 UET, YEP, Vista, and Tiger agree not to serve notice of the 30(b)(6)
27 deposition until the Court resolves the dispute.
28

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1 Dated: April 21, 2017

STEPTOE & JOHNSON LLP

2 By: /s/ Laurie Edelstein

Laurie Edelstein

3 Seth R. Sias

4 *Attorneys for Defendants Pacific Gas and*
5 *Electric Company, Albert Torres, Bill Chen,*
6 *and Tanisha Robinson*

6 Dated: April 21, 2017

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7 By: /s/ Leah E. Capritta*

8 Thomas D. Leland

Leah E. Capritta

9 *Attorneys for Plaintiff United Energy*
10 *Trading, LLC*

11 Dated: April 21, 2017

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12 By: /s/ Leah E. Capritta*

13 Thomas D. Leland

Leah E. Capritta

14 *Attorneys for North Star Gas Company*
15 *d/b/a YEP Energy*

15 Dated: April 21, 2017

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16 By: /s/ Leah E. Capritta*

17 Thomas D. Leland

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18 *Attorneys for Vista Energy Marketing, L.P.*

19 Dated: April 21, 2017

HOLLAND & KNIGHT LLP

20 By: /s/ Leah E. Capritta*

21 Thomas D. Leland

Leah E. Capritta

22 *Attorneys for Tiger Natural Gas, Inc.*

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25
26
27
28 *with permission